UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,516	03/16/2004	Carmody Quinn	QUIN-13	3180

29106   7590   08/19/2008
GROOVER & Associates
BOX 802889
DALLAS, TX 75380-2889

EXAMINER
DENG, ANNA CHEN

ART UNIT	PAPER NUMBER
2191	

MAIL DATE	DELIVERY MODE
08/19/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/801,516	QUINN, CARMODY
	Examiner	Art Unit	
	ANNA DENG	2191	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 May 0200_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-20_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _5/21/2008_.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.　　This action is in response to Preliminary Amendment in Continuing Examination filed on 5/21/2008.

2.　　The objection to claims 1, 5, 7-9, 13-14, and 17 is withdrawn in view of applicant's amendment.

3.　　Claims 1-20 are pending.

Response to Amendment

Claim Objections

4.　　Claim 3 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 3 contains subject matter "environment settings" that fails to limit the subject matter in its base claim 1. Claim 1 recites "store customized program-specific settings for the software environment ... wherein said software environment includes configuration settings, programs, program data, and/or dynamically linked library (DLL) information", the "environment settings" doses not constitute further a limitation of program-specific settings for software environment. Appropriate correction is required

Claim Rejections - 35 USC § 112

5.　　The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

6.   Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

        Claim 1 contains subject matter as recites "wherein said software environment

includes configuration settings, programs, program data, and/or dynamically linked

library (DLL) information", the limitation "and/or" is ambiguity, and thus it is indefinite. In

the interest of compact prosecution, this limitation "and/or" is interpreted as –or--

hereinafter. Claims 2-16 are rejected for dependency upon rejected base claim 1

above.

7.   Claim 2 contains subject matter "a portable data medium" that is unclear if it

refers to "a storage medium" in claim 1, or it is another medium, and thus it is indefinite.

In the interest of compact prosecution, "a portable data medium" is interpreted as –said

storage medium is a portable data medium--.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

9.   Claims 1-5, 7-13, and 15-19 are rejected under 35 U.S.C. 102 (e) as being

anticipated by Gentil et al. USPUB 2004/0139309 A1 (hereinafter Gentil).

Per Claim 1 (Currently Amendment):

Gentil discloses:

A method of transporting a customized user interface software environment

(Gentil, [0020], "My Companion" is a powerful solution that allows users to truly roam

from one computer to another with maximum efficiency and ease. "MY Companion's"

intelligent interface will find and gather all the important information for a given user. As

a result, it will virtualize and load their profile settings, data file, software, and security

certificates into a unique file; and [0021], "My Companion" includes a method, a

program product, and an apparatus, all characterized in that they transfer device

settings from a persistent memory device (as a flash memory card, a PCMCIA card, a

CD-ROM, or even a secure server) to a target computer) **comprising the actions of:**

a) operating a utility on a first computer to store customized program-specific

settings for the software environment, but not a workable operating system, on a

storage medium, wherein said software environment includes configuration

settings, programs, program data, and/or dynamically linked library (DLL)

information, which permits customization of user interface environments (Gentil,

FIG. 1, [0042], a "My Companion" file is created and loaded with data of interest (as

profiles, files, settings, personalization, customizations, and the like, as well as scripts

and wizard; FIG. 4, [0045], programs in the program files of the user's original

computer, 413, which are loaded to the removable device, 415. The software installation

method also has the system DLLs and specific drivers of the user's original computer,

421, which are copies to the removable device, 423);

b) operating the utility program on a second computer to reconfigure said

second computer to use said settings transferred from the storage medium

(Gentil, [0045], The user program install file, 425 (with scripts, wizards, and uninstall

tools), through the "My Companion" Virtual Software engine, 427, writes the required

system DLLs and drivers to the temporary computer, 427, and registers the required

fires, 431, in the registry of the target or temporary computer);

c) reconfiguring the second computer by merging configuration and program

information of said first computer into a local system environment of said second

computer (Gentil, FIG. 4, see [0108] - [0111], Using the user program install file, 425,

as the information source and starting point, the "my Companion" Virtual Software

engine, 427, will copy all the required system DLL files, 423, to the guest computer

system, 429, registers them if needed, and updates all required registry entries, 431)**;**

and thereafter

d) operating said second computer in accordance with said settings without

performing a system reboot; wherein said action (c) is performed whether or not

the second computer is running the same operating system as said first

computer (Gentil, [0112] Then, the software application located on "My Companion"

can run as if it were on a local disk on the target computer. The software files are

executed directly from the mass storage device or network shared drive where the "My

Companion" file is located. Only a small number of system DLL files and registry entries

need be actually copied to the guest or target computer).

Per Claim 2:

Gentil discloses:

wherein said step a) stores said settings onto a portable data medium (Gentil,

FIG. 4, [0045], programs in the program files of the user's original computer, 413, which

are loaded to the removable device, 415. The software installation method also has the

system DLLs and specific drivers of the user's original computer, 421, which are copies

to the removable device).

Per Claim 3:

Gentil discloses:

wherein said step a) also stores environmental settings (Gentil, FIG. 1, [0042], a

"My Companion" file is created and loaded with data of interest (as profiles, files,

settings, personalization, customizations, and the like, as well as scripts and wizard;

FIG. 4, [0045], programs in the program files of the user's original computer, 413, which

are loaded to the removable device, 415. The software installation method also has the

system DLLs and specific drivers of the user's original computer, 421, which are copies

to the removable device, 423).

Per Claim 4:

Gentil discloses:

wherein said step a) stores registry entries (Gentil, [0106], My companion Virtual

Software Engine, 427, puts the System DLL files on the target computer, 429, and

Registers the required files, that is it makes the required registry entries on the target

computer, 431).

Per Claim 5:

Gentil discloses:

    wherein said step b) retrieves said settings from a portable data medium

for use (Gentil, [0112] Then, the software application located on "My Companion" can

run as if it were on a local disk on the target computer. The software files are executed

directly from the mass storage device or network shared drive where the "My

Companion" file is located. Only a small number of system DLL files and registry entries

need be actually copied to the guest or target computer).

Per Claim 7:

    Gentil discloses:

wherein said step a) stores said program-specific settings for only some of the

programs on said first computer, as manually selected in an operation which

does not involve manual installation of programs (Gentil, [0078], The "My

Companion" Software remains within the file. It can be updated manually).

Per Claim 8:

Gentil discloses:

further comprising, after step d) a subsequent step of reconfiguring said second computer by restoring the local system environment of said second computer, to at least partially reverse said step b) (Gentil, [0024], to facilitate restoring setting on the target (guest) computer, such as restoring registry files on the target computer; also see [0113] – [0114], System clean up is initiated when the user is finished using the application and chooses to close it. The added registry keys and the DLL's installed onto the computer are deleted. This clean up process makes sure that no information is left behind on the guest computer).

Per Claim 9:

Gentil discloses:

further comprising, after step d) a subsequent step of reconfiguring said second computer by restoring the local system environment of said second computer, to wholly reverse said step b) (Gentil, [0024], to facilitate restoring setting on the target (guest) computer, such as restoring registry files on the target computer; also, see [0113] – [0114], System clean up is initiated when the user is finished using the application and chooses to close it. The added registry keys and the DLL's installed onto the computer are deleted. This clean up process makes sure that no information is left behind on the guest computer).

Per Claim 10:

Gentil discloses:

further comprising the subsequent step, after said step c), of automatically erasing all temporary files created on said second computer during said step b) (Gentil, [0036], The scripts and wizards facilitate "cloning" the user's computer to the temporary while the user is temporarily using the target computer, and then uninstalling the preferences, favorites, passwords, network identifiers, PIN numbers, data files, and the like, to return the target file to its original state).

Per Claim 11:

Gentil discloses:

further comprising the steps of saving any configuration changes made during said steps b) or c), and synchronizing said configuration changes onto said first computer (Gentil, [0032] use a 2-way synchronization to update data, FIG. 1, [0052], The data from the "My Companion" file is transferred to another computer, 13, and updates are transferred back to the user's computer 13, and to another computer, 15; also, FIG. 8, [0058] - [0059], synchronization between a server and companion disks, where data is moved between the data files on a server, 81, on a–companion disk of user A, 83, and on a companion disk of user B, 83... through various synchronization means, shown as Synchronization , which may Physical peer-to peer synchronization, or other Synchronization protocols).

Per Claim 12:

Gentil discloses:

wherein said step a) stores defined user variables (Gentil, [0021] - [0022], this is

accomplished by storing data relating to the target computer … the data relating to the

target computer...user profile information (as network settings, access authorizations,

passwords, PINs, ...)).

Per Claim 13:

Gentil discloses:

wherein said step a) stores link library files (Gentil, FIG. 4, [0045], programs in

the program files of the user's original computer, 413, which are loaded to the

removable device, 415. The software installation method also has the system DLLs

(Dynamically Linked Libraries) and specific drivers of the user's original computer, 421,

which are copies to the removable device, 423)

Per Claim 15:

Gentil discloses:

wherein said step a) also automatically captures at least some data files which

are identifiably associated with programs for which settings are stored in said

step a) (Gentil, [0020], "My Companion's" intelligent interface will find and gather all the

important information for a given user. As a result, it will virtualize and load their profile

settings, data files, software, and security certificates into a unique file. That file can be

shared on a network or loaded on a small mass storage device).

Per Claim 16:

Gentil discloses:

wherein said step b) also automatically identifies program update needs

(Gentil, [0078], The "My companion" software remains within the file. I can be

updated...through a server module that detects previous versions and updates them).

Per Claim 17 (Currently Amended):

Gentil discloses:

A method of transporting a customized user interface environment (Gentil,

[0020], "My Companion" is a powerful solution that allows users to truly roam from one

computer to another with maximum efficiency and ease), **comprising:**

a) capturing registry information of a first computer using a first copy of a

configuration utility Gentil, [0020], "My Companion's" intelligent interface will find and

gather all the important information for a given user. As a result, it will virtualize and load

their profile settings, data file, software, and security certificates into a unique file

(registry information); [0021], "My Companion" includes a method, a program product,

and an apparatus, all characterized in that they transfer device settings from a

persistent memory device (as a flash memory card, a PCMCIA card, a CD-ROM, or

even a secure server) to a target computer);

**b) storing the registry information of the first computer onto a portable data
medium** (Gentil, FIG. 4, [0045], programs in the program files of the user's original
computer, 413, which are loaded to the removable device, 415. The software installation
method also has the system DLLs and specific drivers of the user's original computer,
421, which are copies to the removable device, 423);

c) retrieving the stored registry information of the first computer (Gentil, [0045],
The user program install file, 425 (with scripts, wizards, and uninstall tools), through the
"My Companion" Virtual Software engine, 427, writes the required system DLLs and
drivers to the temporary computer, 427, and registers the required fires, 431, in the
registry of the target or temporary computer);

**d) merging the retrieved registry information of the first computer into a
registry on a second computer using a second copy of the configuration utility**
(Gentil, FIG. 4, see [0108] - [0111], Using the user program install file, 425, as the
information source and starting point, the "my Companion" Virtual Software engine, 427,
will copy all the required system DLL files, 423, to the guest computer system, 429,
registers them if needed, and updates all required registry entries, 431); and

**e) executing the merged registry information on the second computer, wherein
said registry information comprises settings and options for an already running
operating system which take effect without a system reboot** (Gentil, [0112] Then,
the software application located on "My Companion" can run as if it were on a local disk
on the target computer. The software files are executed directly from the mass storage
device or network shared drive where the "My Companion" file is located. Only a small

number of system DLL files and registry entries need be actually copied to the guest or

target computer; also, [0023], As a general rule the downloads relating to the target

computer comprises software to facilitate modifying settings on the target computer,

such as script files to operate on software on the target computer or to install software

on the target computer, including to operate on registry files on the target computer).

Per Claim 18:

Gentil discloses:

wherein the registry information comprises one or more dynamic link libraries

(DLLs), configuration data, environment settings, programs, program data, and

combinations thereof (Gentil, FIG. 1, [0042], a "My Companion" file is created and

loaded with data of interest (as profiles, files, settings, personalization, customizations,

and the like, as well as scripts and wizard; FIG. 4, [0045], programs in the program files

of the user's original computer, 413, which are loaded to the removable device, 415.

The software installation method also has the system DLLs and specific drivers of the

user's original computer, 421, which are copies to the removable device, 423. The user

program install file, 425 (with scripts, wizards, and uninstall tools), through the "My

Companion" Virtual Software engine, 427, writes the required system DLLs and drivers

to the temporary computer, 427, and registers the required fires, 431, in the registry of

the target or temporary computer).

Per Claim 19:

Gentil discloses:

further comprising: f) restoring the registry of the second computer by retrieving the merged registry information of the first computer (Gentil, [0024], to facilitate restoring setting on the target (guest) computer, such as restoring registry files on the target computer; also, see [0113] – [0114], System clean up is initiated when the user is finished using the application and chooses to close it. The added registry keys and the DLL's installed onto the computer are deleted. This clean up process makes sure that no information is left behind on the guest computer).

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 6, 14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gentil et al. USPUB 20040139309 A1 (hereinafter Gentil), in view of Hamilton, II et al. US 2002/0147938 A1 (hereinafter Hamilton).

Per Claim 6:

The rejection of claim 1 is incorporated, and further, Gentil does not explicitly teach **checks for possible conflicts before reconfiguring said second computer**.

However, Hamilton teaches **checks for possible conflicts before reconfiguring said second computer** (Hamilton, FIG. 7, steps 715-755, and see [0062]).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by Gentil to include **checks for possible conflicts before reconfiguring said second computer** using the teaching of Hamilton. The modification would be obvious because one of ordinary skill in the art would be motivated to implements portability of an operating environment and allow an operating environment to transfer to removable storage (Hamilton, [0012]).

Per Claim 14:

The rejection of claim 1 is incorporated, and further, Gentil does not explicitly teach **stores a record of any version conflicts of DLLs or system services**. However, Hamilton teaches stores a record of any version conflicts of DLLs or system services (Hamilton, FIGS. 3 and 7, see [0057], and [0062], lines 14-24).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by Gentil to include **stores a record of any version conflicts of DLLs or system services** using the teaching of Hamilton. The modification would be obvious because one of ordinary skill in the art would be motivated to implements portability of an operating environment and allow an operating environment to transfer to removable storage (Hamilton, [0012]).

Per Claim 20 (New):

The rejection of claim 17 is incorporated, and further, Gentil does not explicitly teach **creating a backup of registry information on a second computer**. However, Hamilton teaches **creating a backup of registry information on a second computer** (Hamilton, FIG. 2, [0054], "data collection could be scheduled to repeat at various time intervals to backup the customization data").

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by Gentil to include **creating a backup of registry information on a second computer** using the teaching of Hamilton. The modification would be obvious because one of ordinary skill in the art would be motivated to implements portability of an operating environment and allow an operating environment to transfer to removable storage (Hamilton, [0012]).

Response to Arguments

12.   Applicant's arguments with respect to claims 1 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anna Deng whose telephone number is 571-272-5989. The examiner can normally be reached on Monday to Friday 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wei Zhen can be reached at 571 –272-3708. The fax phone number for the

organization where this application or proceeding is assigned is 703-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/Anna Deng/

Examiner, Art Unit 2191

8/8/2008